

98TH CONGRESS } 1st Session }	HOUSE OF REPRESENTATIVES	{ REPT. 98-88 Part 1
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RESOLUTION OF INQUIRY DIRECTING THE PRESIDENT TO FURNISH
CERTAIN INFORMATION WITH RESPECT TO U.S. ACTIVITIES IN HON-
DURAS AND NICARAGUA

MAY 4, 1983.—Ordered to be printed

Mr. NICHOLS, from the Committee on Armed Services,
submitted the following

ADVERSE REPORT

[To accompany H. Res. 159 which on April 13, 1983, was referred jointly to
the Committee on Armed Services, the Committee on Foreign Affairs, and
the Permanent Select Committee on Intelligence]

The Committee on Armed Services, to whom was referred the resolu-
tion (H. Res. 159) directing the President to furnish certain informa-
tion to the House of Representatives with respect to U.S. activities in
Honduras and Nicaragua, having considered the same, report unfavor-
ably thereon and recommend that the resolution do not pass.

COMMITTEE CONSIDERATION OF THE RESOLUTION

The Committee on Armed Services met on Tuesday, May 3, 1983,
to consider House Resolution 159. Since House Resolution 159 is a priv-
ileged resolution, the committee was bound to report to the House with-
in 14 legislative days from the date it was referred to the committee
(Apr. 13, 1983).

DISCUSSION

H. Res. 159 would direct the President to provide the House of
Representatives with a substantial amount of documentation relative
to U.S. activities in and over Honduras and Nicaragua during the
period March 1, 1981 through April 15, 1983. The information would
have to be produced within 10 days after the date of adoption of
the resolution.

Deficiencies in the resolution

Unlike the usual practice of the House in a resolution of inquiry
addressed to the President, rather than requesting him to produce the
documents, this resolution directs the production of the information.

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The mandatory nature of H. Res. 159 could place the President in an untenable position concerning compliance if the resolution were agreed to in its present form.

The resolution would require the production of a substantial amount of documentation within a 10-day period of its adoption. For example, paragraph (2) of the resolution would require production of:

* * * any documents listing military weapons and equipment furnished by or on behalf of any agency of the United States to Honduras or any group or individual in Honduras * * * including (A) any documents distinguishing such weapons and equipment by type, (B) any documents showing whether the recipients of such weapons or equipment were Honduran military forces or were other groups or individuals, including documents identifying any such groups or individuals and the weapons or equipment they received, and (C) any documents showing that any such military weapons and equipment are no longer in Honduras, including any documents showing the disposition of such weapons and equipment.

To comply fully with the elements of this resolution the President would have to insure that the files of all departments and agencies of the executive branch were searched to locate any documents in existence which could be within the scope of the resolution. It would not serve the House or the Nation well to place the President in a position in which it is all too likely that he could not comply fully.

Action of the Permanent Select Committee on Intelligence

This committee has been informed that the Permanent Select Committee on Intelligence voted unanimously on May 3, 1983, to report H. Res. 159 unfavorably and announced that it intended to request a secret session of the House in connection with the House consideration of H.R. 2760, a bill to amend the Intelligence Authorization Act for fiscal year 1983 to prohibit U.S. support for military or paramilitary operations in Nicaragua and to authorize assistance, to be openly provided to governments of countries in Central America, to interdict the supply of military equipment from Nicaragua and Cuba to individuals, groups, organizations, or movements seeking to overthrow governments of countries in Central America. It is our understanding that at that secret meeting the select committee will make an indepth presentation concerning the Central American issues and particularly matters relating to Nicaragua. It is the opinion of the committee, and we understand that of the Select Committee on Intelligence, that the secret meeting of the House is a more appropriate way to receive a report on matters referred to in H. Res. 159.

Serious allegations of the resolution

Implicit in the resolution are serious allegations of improper conduct on the part of officials of the executive branch of the government, and possibly violations of law. The committee is concerned by the suggestions of such allegations and believes they should be examined fully. Again, it is expected that the above-referenced secret meeting

could place the President in
 a position of embarrassment if the resolution were

of a substantial amount
 of its adoption. For example,
 require production of:

weapons and equipment
 of the United States
 in Honduras * * *
 showing such weapons
 and equipment showing whether
 individuals, including
 individuals and
 individuals, and (C) any docu-
 ments showing
 weapons and equipment
 documents showing
 equipment.

his resolution the President
 departments and agencies
 to locate any documents in
 of the resolution. It would
 to place the President in a
 he could not comply fully.

Committee on Intelligence

the Permanent Select Com-
 on May 3, 1983, to report
 that it intended to request
 with the House considera-
 Intelligence Authorization Act
 for military or para-
 authorize assistance, to be
 in Central America, to
 from Nicaragua and Cuba
 movements seeking to over-
 America. It is our under-
 select committee will make an
 Central American issues and
 a. It is the opinion of the
 Select Committee on Intelli-
 is a more appropriate way
 in H. Res. 159.

allegations of improper con-
 branch of the government,
 committee is concerned by the
 they should be examined
 e-referenced secret meeting

of the House is the best forum for an examination and discussion of
 such matters.

For the above reasons the committee has reported H. Res. 159
 adversely and recommends that it not be agreed to.

COMMITTEE POSITION

The Committee on Armed Services, on May 3, 1983, a quorum
 being present, reported the resolution adversely by voice vote.

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